

## Article - Education

[\[Previous\]](#)[\[Next\]](#)

§14–404.

(a) In addition to any other powers granted and duties imposed by this title, and subject to the provisions of Title 11 of this article and any other restrictions imposed by law by specific reference to St. Mary's College of Maryland or by any trust agreement involving a pledge of property or money, the Board of Trustees is responsible for the governance and management of the College, and has all the powers, rights, and privileges that go with that responsibility, including the powers and duties set forth in this section.

(b) The Board of Trustees:

(1) Has the care, control, and management of the College and all of its property and assets;

(2) May not be superseded in its authority by any State agency or office in managing the affairs of the College except as provided for in this article or any other provision of law by specific reference to the College; and

(3) May appoint a President of the College who shall be the Chief Executive Officer of the College and the Chief of Staff for the Board.

(c) (1) Subject to Title 3 of the General Provisions Article, the Board may make rules and regulations, and prescribe policies and procedures, for the management, maintenance, operation, and control of the College.

(2) Except with respect to classified employee grievance appeals, Title 10, Subtitles 1 and 2 of the State Government Article "Administrative Procedure Act" are not applicable to the Board of Trustees.

(d) The Board of Trustees may:

(1) Apply for, accept, and spend any gift or grant from the federal government, any State agency or office, any foundation, or any other person; and

(2) Maintain and manage endowment funds.

(e) (1) The President shall develop an overall plan that is consistent with the statewide plan for higher education and the Charter that:

(i) Sets forth both long-range and short-range goals, objectives, and priorities for, and service provided by St. Mary's College of Maryland and methods and guidelines for achieving and maintaining them;

(ii) Subject to § 11-105 of this article, identifies the role, function, and mission of St. Mary's College of Maryland;

(iii) Enhances its role as a traditional liberal arts college;

(iv) Affirms the need for increased access for economically disadvantaged and minority students;

(v) Ensures that access to the College by State residents is not diminished because of increases in tuition and other fees occasioned by the College's designation as a public honors college;

(vi) Encourages and supports high quality undergraduate programs; and

(vii) Stimulates outreach to the community and the State through close relationships with public elementary and secondary schools, business and industry, and governmental agencies.

(2) The Board of Trustees shall review, modify, and approve the plan.

(3) By July 1 of each year, the Board of Trustees shall submit to the Maryland Higher Education Commission, to the Governor and, subject to § 2-1257 of the State Government Article, to the General Assembly an annual review of the plan.

(f) The student member may not participate in establishing or administering faculty or administrative personnel policy at St. Mary's College of Maryland.

(g) The Board of Trustees may grant full faculty status, with all the rights and privileges pertaining to that status, to the Executive Director of the Historic St. Mary's City Commission.

(h) (1) The Board:

(i) Has the power to sue or be sued; and

(ii) May carry comprehensive liability insurance to protect the Board, its agents, and employees.

(2) The determination whether to purchase insurance, and its scope and limitations, shall be within the Board's discretion, taking into account commercial availability and affordability and the existence and extent of insurance secured by the State Treasurer.

(3) (i) Title 12, Subtitle 1 of the State Government Article "Maryland Tort Claims Act" applies to claims or actions against the College, its Board, and its employees.

(ii) Subject to all exclusions and limitations in that subtitle, the immunity of the College is waived to the extent of any insurance coverage purchased under this subsection.

(4) Nothing in this subsection shall be construed to waive or abrogate sovereign immunity with respect to any claim that is not covered by or exceeds the limits of an insurance policy.

(5) Nothing in this subsection shall be construed to waive or abrogate the immunity of the College under the Eleventh Amendment to the United States Constitution.

[\[Previous\]](#)[\[Next\]](#)